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STATE FOR ISN/CB, VCI/CCB, L/ACV, IO/S
SECDEF FOR OSD/ISP
JOINT STAFF FOR DD PMA-A FOR WTC
COMMERCE FOR BIS (GOLDMAN)
NSC FOR DICASAGRANDE
WINPAC FOR WALTER

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TAGS: [PARAM](#) [PREL](#) [CWC](#)

SUBJECT: CHEMICAL WEAPONS CONVENTION (CWC): DISCUSSIONS
WITH THE TECHNICAL SECRETARIAT ON SAMPLING AND ANALYSIS
DURING SCHEDULE 2 INSPECTIONS

REF: STATE 145877

This is CWC-81-06.

¶1. (U) Background: In December 2005, the Technical Secretariat (TS) announced its intention to begin sampling

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and analysis (S&A) (on a limited basis) during subsequent inspections of Schedule 2 facilities beginning in the third quarter of 2006. This will be done on a trial basis for approximately 18 months so that the Secretariat can build up its experience with this tool and evaluate further use. Plans currently call for S&A during 13 Schedule 2 inspections in 13 different States Parties, one of which will be the United States, expected sometime in 2007. The TS invited the U.S. to see the S&A-equipment and to discuss procedural, logistical, and technical issues associated with S&A in the U.S.

¶2. (U) Subject discussions were held in accordance with guidance (REF) with the Technical Secretariat on 11-12 September 2006, in The Hague with the goal of how to make S&A work in the United States. U.S. objectives were to (a) understand how the TS intends to proceed, (b) understand the logistical requirements, (c) outline the U.S. position that S&A should be conducted in a realistic manner including a sound basis for using this inspection tool, (d) understand the technical details attendant to S&A, and (e) reach a "cooperative arrangement" with the TS on how S&A would be conducted in the U.S.

¶3. (U) The U.S. team consisted of Rick D'Andrea (DOS), Beth Scott and Hung Ly (DOC), and Larry Denyer (Del). Per Runn headed the TS side with 12 others from the Policy Review Branch, Industry Verification Branch, Technical Support Branch and the Inspection Division. Following introductions on both sides Rick D'Andrea began the discussions by outlining the U.S. goal and objectives for these talks and handed over an informal outline (that had served as the basis for a prior STATE/COMMERCE planning meeting) that included topics to be discussed and elements of the "cooperative arrangement." He stated the U.S. position (per paragraph 5 reftel) that S&A be conducted in a realistic manner, taking

into account appropriate Convention provisions and U.S. regulations. Next, Bill Kane (Chief of IVB) gave a presentation on the evolution of S&A in the Secretariat (U.S. team has hard copy). Bill stated that in 1997, when the CWC entered into force, the TS was not ready to do S&A. In 2005 the TS announced that they were prepared to do S&A and planned an 18 month trial during which S&A would be done at about 13 subsequent Schedule 2 inspections in 13 different States Parties. The balance of the presentation detailed how the TS arrived at this decision. Mr. Sokolowski, Acting Head of the OPCW Laboratory, next gave a presentation on "Tasks and the Role of the Lab in Analytical Verification Activities of the Secretariat" (U.S. team has hard copy). The U.S. team was mainly in listening mode. Further discussion would later occur during the visit to the laboratory (see paragraph 5).

I4. (U) Details, Details, Details. What follows are a number of details the U.S. learned during the discussions and an outline of several unresolved issues:

I4A. Concerning the basis for S&A, Per Runn pointed out that S&A provides a unique set of information that directly gets at whether there are undeclared scheduled chemicals present. This unique data can then be combined with the information from previous inspection(s) at the declared facility to get a clearer picture of inspection-relevant features of the facility. The U.S. team reiterated its desire to have a rationale for the sampling request as part of the written request from the inspection team.

I4B. Inspection team size will be five inspectors vice the three inspectors normally used for subsequent Schedule 2 inspections, and the notification period will be five days vice two.

I4C. Concerning the increased time required for the Technical

Equipment Inspection (TEI) of the S&A equipment and the impact that will have on meeting the CWC requirement to get the inspection team to the inspection site within 12 hours of arrival, it was agreed that (a) the TEI would start as soon as the inspection mandate was handed over, (b) the words "inspection team" mean all of the inspectors and not their equipment, and (c) if the inspected state party made every reasonable effort to get the "inspection team" to the site and it took longer than 12 hours, that fact would be documented in the inspection report and have no practical consequence. Unresolved was whether the pre-inspection briefing and beginning the period of inspection could occur prior to arrival of the S&A equipment. The TS strongly prefers that these events wait until after equipment arrival.

I4D. S&A will be included in the inspection mandate as a work instruction.

I4E. If the inspection team is unable to do S&A because of equipment malfunction, they will not/not seek alternative S&A methods (e.g., use of the site's analytical equipment) during the trial period.

I4F. Concerning support the inspection team will need from the U.S., the TS referred to Note S/548/2006 dated 10 February 2006 and explained that the space they needed for the S&A equipment was about five meters of counter space and room for a fume hood. Mr. D'Andrea asked whether the inspection team could set up on a loading dock or in a truck? The response was yes, provided temperature, humidity, electrical power, water, etc., were conducive to S&A operations. Ideally, what is needed is access to lab bench space with a fume hood.

I4G. The Fume Hood. The TS is working toward getting a fume hood that meets U.S. technical and safety specifications prior to S&A in the U.S. Should they fail to do so, the U.S. would have to be willing to provide a fume hood in order for S&A to occur. Strong preferences were expressed on both sides that the fume hood issue be resolved before S&A takes place in the U.S.

IH. Securing the S&A equipment: In the event that a separate lockable room is not available at the site, the sides discussed several possible methods of securing the S&A equipment and did not reach a useful conclusion. The TS agreed to work on this issue further with the aim of having a workable method prior to S&A in the U.S.

II. The TS estimates that it will take them two to four hours to set up the S&A equipment and another four to six hours to have it operational.

IJ. Get it in writing. The U.S. team pointed out that 22 CFR Part 103 sets a number of conditions that must be met for S&A to occur, and that requests for the taking of samples must be in writing. The team handed over a copy of this regulation.

IK. Costs: The TS estimates that doing S&A will add roughly \$15K to the cost of a Schedule 2 inspection. The TS agreed to reimburse the U.S. for "billable" expenses. Privately, Commerce team members expressed concerns that their office would expend funds for shipping, truck rental, etc., and would not be reimbursed because the TS money would go to the U.S. general fund. (This reimbursement mechanism is the same as at present, but the costs would be significantly higher.) Consequently, Commerce may be unable to afford more than one S&A inspection in 2007.

I5. (U) Analysis Mode: The U.S. team visited the OPCW Laboratory and was shown sample analyses by two gas chromatograph/mass spectrophotometer (GC/MS) instruments, one operating in OPEN mode and one operating in BLINDED mode. The controlling software in both cases is AMDIS (Automated Mass Spectra Deconvolution Identification System). Both modes display the same analytical result, however, in OPEN mode the analyst has a number of additional data access options available upon request. Use of one or more of these options would be needed to resolve an ambiguous analysis. If

AMDIS BLINDED mode is selected the GC/MS wipes the OPEN mode additional analytical options off the hard drive. Resolution of ambiguous analysis results would then require installation of a replacement hard drive containing the other software configuration, a procedure that takes at least two hours. The TS strongly favors operating in OPEN mode. This issue remains unresolved.

I6. (U) Overall, the discussions were cordial and highly productive in terms of understanding operational details. Issues remain, but they should be resolved as both sides gain experience in S&A at Schedule 2 inspections during the trial period.

I7. (U) Javits sends.
ARNALL